

TRANSMITTAL LETTER TO THE UNITED STATES

DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A
SUBMISSION UNDER 35 U.S.C. 371

EV 642787616 US

11937/US/2

U.S. APPLICATION NO. (if known, see 37 CFR 1.5)

10/551392

INTERNATIONAL APPLICATION NO.

PCT/US04/09954

INTERNATIONAL FILING DATE

March 31, 2004

PRIORITY DATE CLAIMED

March 31, 2003

TITLE OF INVENTION

METHODS FOR INHIBITING ADIPOGENESIS AND FOR TREATING TYPE 2 DIABETES

APPLICANT(S) FOR DO/EO/US

MARKUS STOFFEL, CHRISTIAN WOLFRUM, DAVID Q. SHIH, SATORU KUWAJIMA AND DANIEL BESSER

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☒ This express request to begin national examination procedures (35 U.S.C. 371(f). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☒ The US has been elected (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ has been transmitted by the International Bureau.
 - c. ☒ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English translation of the International Application as filed (35 U.S.C. 371(c)(2)).
 - a. ☐ is attached hereto.
 - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - a. ☐ are attached hereto (required only if not transmitted by the International Bureau).
 - b. ☐ had been communicated by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☒ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36

Items 11 to 20. below concern document(s) or information included:

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is
13. ☐ A preliminary amendment.
14. ☐ An Application Data Sheet under 37 CFR 1.76.
15. ☐ A substitute specification.
16. ☐ A power of attorney and/or change of address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13^{ter}.2 and 35 U.S.C. 1.821-1.825
18. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4)
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. ☒ Other items or information:

PCT/IB/304, PCT/IB/301, PCT/IB/311, Copy of international application as published

U.S. APPLICATION NO. (IF KNOWN, SEE 37 CFR 1.5) 10/551392		INTERNATIONAL APPLICATION NO. PCT/US04/09954		ATTORNEY'S DOCKET NUMBER 11937/US/2																					
21. The following fees have been submitted: <input checked="" type="checkbox"/> a) Basic national fee (37 CFR 1.492(a))..... \$300.00				CALCULATIONS	PTO USE ONLY																				
				\$ 300.00																					
22. <input checked="" type="checkbox"/> Examination fee (37 CFR 492(c)) If the written opinion prepared by ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)--4)..... \$0.00 All other situations..... \$200.00				\$ 200.00																					
23. <input checked="" type="checkbox"/> Search fee (37 CFR 1.492(b)) If the written opinion of the ISA/US or US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)--4) \$0.00 Search fee (37 CFR 1.445(a)(2) has been paid on the international application to the USPTO as an International Searching Authority..... \$100.00 International Search Report prepared and provided to the Office \$400.00 All other situations \$500.00				\$ 100.00																					
TOTAL OF 21, 22 and 23 =				\$ 600.00																					
<input checked="" type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.				\$250.00																					
						<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <th style="width:15%;">Total Sheets</th> <th style="width:15%;">Extra Sheets</th> <th style="width:35%;">Number of each additional 50 or fraction thereof (round up to a whole number)</th> <th style="width:35%;">RATE</th> </tr> <tr> <td>101 - 100</td> <td>1 /50 =</td> <td>1</td> <td>x \$250.00</td> </tr> </table>	Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE	101 - 100	1 /50 =	1	x \$250.00											
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Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				\$																					
<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <th style="width:20%;">CLAIMS</th> <th style="width:20%;">NUMBER FILED</th> <th style="width:20%;">NUMBER EXTRA</th> <th style="width:20%;">RATE</th> <th style="width:20%;"></th> </tr> <tr> <td>Total claims</td> <td>50 -20 =</td> <td>30</td> <td>x \$50.00</td> <td>\$1500.00</td> </tr> <tr> <td>Independent claims</td> <td>7 -3 =</td> <td>4</td> <td>x \$200.00</td> <td>\$800.00</td> </tr> <tr> <td colspan="3">MULTIPLE DEPENDENT CLAIM(S) (if applicable)</td> <td>+ \$360.00</td> <td>\$360.00</td> </tr> </table>				CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		Total claims	50 -20 =	30	x \$50.00	\$1500.00	Independent claims	7 -3 =	4	x \$200.00	\$800.00	MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$360.00	\$360.00		
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TOTAL OF ABOVE CALCULATIONS =				\$4110.00																					
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by ½.				\$2055.00																					
SUBTOTAL =				\$2055.00																					
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				\$																					
TOTAL NATIONAL FEE =				\$2055.00																					
Fee for recording the enclose assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				\$																					
TOTAL FEES ENCLOSED =				\$2055.00																					
				Amount to be refunded:	\$																				
				charged:	\$																				

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a. <input checked="" type="checkbox"/> A check in the amount of \$2055.00 to cover the above fees is enclosed.												
b. <input type="checkbox"/> Please charge my Deposit Account No. 50-2054 in the amount of \$ to cover the above fees. A duplicate copy of this sheet is enclosed.												
c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 50-2054 A duplicate copy of this sheet is enclosed.												
d. <input type="checkbox"/> Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.												
NOTE: Where an appropriate time limit under 37 CFR 1.494 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.												
SEND ALL CORRESPONDENCE TO: CUSTOMER NUMBER 30873												
Janet M. MacLeod Dorsey & Whitney LLP Intellectual Property Department 250 Park Avenue New York, New York 10177	<div style="border-bottom: 1px solid black; margin-bottom: 5px;"> </div> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 70%; padding: 5px;">Signature</td> <td style="width: 30%; padding: 5px;">September 29, 2005</td> </tr> <tr> <td style="padding: 5px;">Janet M. MacLeod</td> <td style="padding: 5px;">Date</td> </tr> <tr> <td colspan="2" style="padding: 5px;">Name</td> </tr> <tr> <td colspan="2" style="padding: 5px;">35,263</td> </tr> <tr> <td colspan="2" style="padding: 5px;">Registration Number</td> </tr> </table>		Signature	September 29, 2005	Janet M. MacLeod	Date	Name		35,263		Registration Number	
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